

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on March 15, 2011 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Terry Murphy, Chair (R)
Sen. Jim Shockley, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Anders Blewett (D)
Sen. Jeff Essmann (R)
Sen. Greg Hinkle (R)
Sen. Rowlie Hutton (R)
Sen. Larry Jent (D)
Sen. Cliff Larsen (D)
Sen. Lynda Moss (D)
Sen. Jim Peterson (R)

Members Excused: Sen. Chas Vincent (R)

Members Absent: None

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 141, 3/1/2011; HB 446, 3/1/2011

Executive Action: HB 141-Be Concurred In, HB 446-Be Concurred In, HB 457-
Tabled

HEARING ON HB 141

Opening Statement by Sponsor:

00:02:47 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 141, Revise makeup, operation, procedures of the Board of Pardons and Parole.

Proponents' Testimony:

00:08:45 Craig Thomas, Executive Director, Board of Pardons and Parole (BOPP),
Department of Justice (DOJ), State of Montana

00:09:59 Larry Epstein, Montana County Attorneys Association (MCAA)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:10:35 Sen. Blewett

00:11:03 Rep. Peterson

Closing by Sponsor:

00:11:46 Rep. Peterson

HEARING ON HB 446

Opening Statement by Sponsor:

00:12:29 Rep. Ellie Boldman Hill (D), HD 94, opened the hearing on HB 446, Address homeless prevention for people under Dept. Of Corrections supervision.

Proponents' Testimony:

00:20:24 Steve Cape, self, also for Montana Coalition for Safety and Justice (MCSJ)

Opponents' Testimony:

None

Informational Testimony:

00:24:17 Pam Bunke, Administrator, Community Corrections Adult Division, Department of Corrections (DOC), State of Montana

Questions from Committee Members and Responses:

00:25:39 Sen. Moss
00:26:06 Rep. Hill
00:28:23 Sen. Shockley
00:28:37 Ms. Bunke

Closing by Sponsor:

00:29:08 Rep. Hill

Committee Business:

00:29:52 Chairman Murphy
00:30:12 Sen. Moss
00:30:26 Chairman Murphy
00:30:54 Sen. Jent

(Recess)

Committee Business Regarding HB 12 and HB 69:

00:46:54 Chairman Murphy
00:51:39 Sen. Jent
00:53:05 Valencia Lane, Legislative Services Division (LSD)
00:54:39 Sen. Peterson
00:55:06 Sen. Shockley
00:55:22 Sen. Moss

EXHIBIT(jus58a01)

00:56:24 Sen. Peterson
00:57:10 Chairman Murphy

(Sen. Essmann and Sen. Peterson absent from the room)

EXECUTIVE ACTION ON HB 446

00:57:27 **Motion/Vote:** Sen. Moss moved that **HB 446 BE CONCURRED IN**. Motion carried unanimously by roll call vote. Sen. Essmann, Sen. Peterson and Sen. Vincent voted by proxy. Sen. Moss will carry the bill.

EXECUTIVE ACTION ON HB 141

00:58:27 **Motion/Vote:** Sen. Shockley moved that **HB 141 BE CONCURRED IN**. Motion carried unanimously by roll call vote. Sen. Essmann, Sen. Peterson and Sen. Vincent voted by proxy. Sen. Shockley will carry the bill.

EXECUTIVE ACTION ON HB 457

00:59:40 **Motion:** Sen. Augare moved that **HB 457 DO NOT BE CONCURRED IN**.

01:00:44 Ms. Lane

01:01:08 **Motion:** Sen. Augare moved that **HB 457 BE CONCURRED IN**.

01:02:01 Sen. Blewett

01:01:20 **Substitute Motion/Vote:** Sen. Hutton made a substitute motion that **HB 457 BE TABLED**. Substitute Motion carried unanimously by roll call vote. Sen. Essmann, Sen. Peterson and Sen. Vincent voted by proxy.

Committee Business Regarding SB 154, SB 170, SB 193, SB 336, also for time frame on HB 161 Sub-Committee and HB 429:

01:03:07 Sen. Augare
 01:03:29 Chairman Murphy
 01:03:42 Ms. Lane
 01:05:21 Chairman Murphy
 01:06:01 Ms. Lane
 01:06:05 Chairman Murphy
 01:06:15 Sen. Shockley
 01:06:32 Sen. Augare
 01:06:40 Chairman Murphy
 01:07:23 Sen. Augare
 01:07:27 Chairman Murphy
 01:07:36 Ms. Lane
 01:08:42 Chairman Murphy
 01:09:09 Ms. Lane
 01:09:45 Sen. Moss
 01:10:02 Chairman Murphy
 01:10:20 Sen. Larsen

ADJOURNMENT

Adjournment: 10:20 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus58aad.pdf](#))